

CHAPTER NO. 377

HOUSE BILL NO. 809

By Representatives Hackworth, McKee, Winningham, DuBois

Substituted for: Senate Bill No. 675

By Senator McNally

AN ACT to amend Tennessee Code Annotated, Title 67, relative to taxation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-5-601, is amended by adding the following language as a new appropriately designated subsection:

(e) The general assembly finds that any public utility property or commercial and industrial property that generates electricity using wind as its energy source is generally capable of only generating approximately one third (1/3) of the electricity that competing generation properties are capable of producing using coal or other conventional energy sources and that the commercially competitive disadvantage of such generation property due to its dependence on the intermittent nature of wind as an energy source similarly evidences that its sound, intrinsic, and immediate economic value for all purposes under this chapter should not initially exceed one third (1/3) of its total installed costs. The general assembly further finds that, unless the aforementioned findings are considered in the determination of the sound, intrinsic, and immediate economic value of such property for all purposes under this chapter, investment in property to generate electricity using wind as its energy source will be unreasonably discouraged, denying the citizens of this state the environmental benefits associated with the greater use of wind, as a renewable energy source, for electric power generation. The assessor of property in assessing any such commercial and industrial property or the comptroller in assessing any such public utility property, which generates electricity using wind as its energy source, shall take these findings by the general assembly into account in determining the sound, intrinsic, and immediate economic value of such property, when the property is initially appraised and each time the property is reappraised.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it and shall apply to property assessed for tax year 2003 and tax years thereafter.

PASSED: May 29, 2003



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 23rd day of June 2003



PHIL BREDESEN, GOVERNOR